

IN THE CIRCUIT/COUNTY COURT OF THE NINTH
JUDICIAL CIRCUIT IN AND FOR ORANGE COUNTY,
FLORIDA

COMPLAINT NO. _____

OIG CASE NO. 19- 12908

Florida Statute(s): 944.35(3)(a)2 and 92.525(3)

Charge(s): Malicious Battery with Great Bodily Harm
and Perjury by False Declaration

Completed as eWarrant

STATE OF FLORIDA,
Plaintiff,

v.

Jestyn Rashard Allen

LKA: [REDACTED]

Race/Sex: Black / Male

Height/Weight: 6-2 / 250 lbs

DOB: [REDACTED]

Social Security Number: [REDACTED]

[REDACTED]
Defendant.

AFFIDAVIT FOR ARREST WARRANT

THE STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned Judge, personally appeared your Affiant, Lead Senior Inspector Mike Wyatt #70914, a member of the Office of Inspector General, Florida Department of Corrections, who, by me being first duly sworn, says that on the 18th day of July 2019, in Orange County, Florida, the Defendant, **Jestyn Rashard Allen** did in violation of section(s) **944.35(3)(a)2 and 92.525(3)**, Florida Statutes, unlawfully did commit the crime(s) of **Malicious Battery with Great Bodily Harm and Perjury by False Declaration**.

- [REDACTED]
- [REDACTED]

These reports were completed by [REDACTED]

On July 30, 2019, [REDACTED] and Inmate [REDACTED] Inmate [REDACTED] The following [REDACTED]

[REDACTED]

Allegations/Summary


A use of force occurred on July 18, 2019, at the CFRC in T&R. The use of force report and the incident report that Officer Allen submitted indicated that he alone used force on Inmate [REDACTED]. Inmate [REDACTED] alleged [REDACTED]

[REDACTED] During his interviews, Inmate [REDACTED] alleged [REDACTED]. When Inmate [REDACTED] viewed the photo lineups, he [REDACTED]. During his second interview, Inmate [REDACTED] alleged [REDACTED].


- Through video and testimonial evidence neither Sergeant Mansfield nor Officer Valentin were present in T&R at the time of the use of force.
- The lone eyewitness, Inmate [REDACTED] advised that only Officer Allen and Inmate [REDACTED] were present for the altercation. He observed Officer Allen take Inmate [REDACTED] to the floor and throw several punches while Inmate [REDACTED] laid on the floor. He could see Officer Allen throwing the punches but not where they landed.
- The [REDACTED] by Inmate [REDACTED] are not consistent with the events reported by Officer Allen in the use of force report and incident report.
- Based on his use of force and incident report, Officer Allen was the lone staff member responsible for the use of force.

Based on the information gathered during this investigation along with the eyewitness testimony, it was determined that the [REDACTED] by Inmate [REDACTED] are not consistent with the events reported by Officer Allen in his use of force and incident report. [REDACTED] advised that the [REDACTED] by Inmate [REDACTED] are consistent with being punched or kicked and not by a take down as described by Officer Allen. The eyewitness reported that Officer Allen "clothes lined" Inmate [REDACTED] then punched him as he lay on the ground. Officer Allen did not list the strikes he delivered to Inmate [REDACTED] on his use of force report or his incident report. Both of those reports were authored by Officer Allen documenting his actions during the use of force. Due to those omissions, and the fact that he swore to and signed his incident report, probable cause exists to charge Officer Allen with Malicious Battery with Great Bodily Harm and Perjury by False Declaration.

Due to the above facts, it is your Affiant's belief that the defendant, Jestyn Allen has committed aforementioned violations of the laws of the State of Florida and that probable cause exists for the issuance of an arrest warrant.


AFFIANT
John "Mike" Wyatt – Sr. Inspector FDC

SWORN TO AND SUBSCRIBED before me in the County and State aforesaid
this 18th day OCTOBER, 2019.


Law Enforcement Witness
Mark Garcia – Sr. Inspector FDC

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LKA: [REDACTED]

Race/Sex: Black / Male

Height/Weight: 6-2 / 250 lbs

DOB: [REDACTED]

Social Security Number: [REDACTED]



Defendant.

ARREST WARRANT

TO: ALL AND SINGULAR THE SHERIFFS OF THE STATE OF FLORIDA; SPECIAL AGENTS OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT; AND/OR ANY INVESTIGATOR OF THE SEVERAL STATE ATTORNEYS' OFFICES; AND/OR ANY MUNICIPAL POLICE OFFICER, INCLUDING MEMBERS OF THE ORLANDO POLICE DEPARTMENT

An Affidavit or sworn Complaint having this day been presented to me as Committing Magistrate wherein it is alleged that on the 18th day of July 2019, in Orange County Florida, the Defendant, **Jestyn Rashard Allen** did in violation of section(s) **944.35(3)(a)2 and 92.525(3)**, Florida Statutes, unlawfully did commit the crime(s) of **Malicious Battery with Great Bodily Harm and Perjury by False Declaration**.

The Court, based on said affidavit, finds probable cause to believe the defendant committed the offense listed herein.

THEREFORE, you are hereby commanded to arrest instanter the said Defendant if he/she be found within your jurisdiction and bring said Defendant before the proper court to be dealt with according to law.

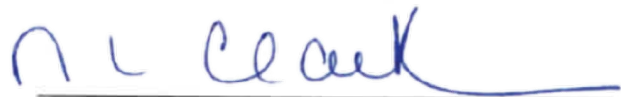
The said Defendant shall be admitted to bail in the sum of:

| | |
|-----------------------------------------------------------|--------------|
| (Count-1) Malicious Battery with Great Bodily Harm | - \$ 3500.00 |
| (Count-2) Perjury by False Declaration | - \$ 150.00 |
| (Count-3) | - \$ |
| (Count-4) | - \$ |
| (Count-5) | - \$ |
| (Count-6) | - \$ |
| (Count-7) | - \$ |
| (Count-8) | - \$ |
| (Count-9) | - \$ |

TOTAL BAIL - \$ 3650.00

and the court imposes the following special conditions of bail, bond, or other pretrial release:

 X may be modified by First Appearance Judge;
 may *not* be modified by Appearance Judge



Judge

Nancy L. Clark

Judge's Name

R E T U R N

Received the within original Warrant on the ____ day of _____, _____, and executed the same in _____ County, Florida, by arresting the within named Defendant, and at the same time informing him/her of the cause of arrest and the issuance of this warrant.

NAME

TITLE